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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/196,574	11/20/1998	KIRAN CHALLAPALI	PHA-23.540	9299		
759	90 09/17/2002					
CORPORATE	PATENT COUNSEL	•	EXAMINER			
U S PHILIPS CO 580 WHITE PL	AINS ROAD		LEE, RICHARD J			
TARRYTOWN, NY 10591			ART UNIT	PAPER NUMBER		
			2613	2613		
			DATE MAILED: 09/17/2002	DATE MAILED: 09/17/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.



Application No. 09/196,574

Applicant(s)

Challapali et al

di et el

Office Action Summary

Examiner

Richard Lee

Art Unit 2613

Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE3MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. THE MAILING DATE OF THIS COMMUNICATION. The MAILING DATE OF THIS COMMUNICATION. The Mailing date of the occernmentation. If the period from mobile pacified above, the maintream of study, 190 days will be considered timely. If the period from they supposed date with the motion of supposed and supposed supposed supposed supposed supposed supposed supposed supposed supposed		The MAILING DATE of this communication appears	on the cover st	eet with	the correspondence address		
THE MAILING DATE OF THIS COMMUNICATION. Extractions of time may be available under the procision of 32 feb 1.13 (e). In no event, however, may a right be timely field after SIX (8) MONTIS from the mailing date of this communication. If the paid for inply a specified above, the main remaining paid of all greys the structure minimum of titory, (90) days will be considered timely. If the paid for imply as specified above, the main remaining paid of all greys are specified above, the main remaining paid of all greys are specified above, the main remaining paid of all greys are specified above, the main remaining paid of all greys are specified above, the main remaining paid of all greys are specified above. The main remaining paid of the specified above, the specified above paid to the paid of the specified above, the specified above, the specified above paid to the specified above, the specified above paid to the specified above pai		• •		_			
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1] Responsive to communication(s) filed on \(\textit{ Jul 9, 2002} \)	- If the property of the prope	period for reply specified above is less than thirty (30) days, a reply within the period for reply is specified above, the maximum statutory period will apply a to reply within the set or extended period for reply will, by statute, cause the ply received by the Office later than three months after the mailing date of t	and will expire SIX (6 ne application to beco	MONTHS :	from the mailing date of this communication. ONED (35 U.S.C. § 133).		
2a) This action is FINAL. 2b) This action is non-final. 3] Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-16	Status						
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all bills Some* claim(s) is/are withdrawn from consideration.	Disposi	tion of Claims					
Side Claim(s)	4) 💢	Claim(s) <u>1-16</u>			is/are pending in the application.		
Claim(s) 1-16 is/are rejected. 7] Claim(s) is/are objected to. 8] Claims are subject to restriction and/or election requirement. Application Papers 9] The specification is objected to by the Examiner. 10] The drawing(s) filed on is/are a] accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11] The proposed drawing correction filed on is: a] approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12] The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13] Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a] All b) Some* c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14] Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a] The translation of the foreign language provisional application has been received. 15] Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) Image: Interview Summary (PTO-413) Paper No(a). Image	4	la) Of the above, claim(s)			is/are withdrawn from consideration.		
Claim(s)	5) 🗆	Claim(s)			is/are allowed.		
are subject to restriction and/or election requirement.	6) 💢	Claim(s) <u>1-16</u>			is/are rejected.		
Application Papers 9)	7) 🗆	Claim(s)			is/are objected to.		
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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stenger of record (DE 3608489A1) in view of Katata et al of record (5,815,601) for the same reasons as set forth in paragraph (3) of the last Office Action (see Paper no. 13).

Regarding the applicants' arguments at pages 2-4 of the request for reconsideration filed July 9, 2002 concerning in general that "... Thus, as the background is recorded out of focus and with little resolution, its purported later inclusion with foreground information would not the background information visible, it would only show foreground information with background information that was recorded out of focus with little resolution. Background only becomes visible upon the detection of motion information, otherwise, it remains out of focus ... Katata, on the other hand, discloses an image encoder that pus image data into blocks and dynamically encodes them so that the image quality of a selected area becomes better than that of other areas ... Stenger is concerned with recording the background out of focus, there is no suggestion or reason to combine this references with Katata to transmit at different quantization levels. In fact, Stenger discloses that background information causes problems determining the contours of foreground information ... thus the solution to record out background information, and recommend enhancement by masking. Applicants respectfully submit that an artisan would not

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find suggestion to combine teachings of Stenger with Katata because the background information (such as background noise, shadows) will create problems identifying and transmitting foreground information ...", the Examiner wants to point out that though Stenger may teach that background structures will cause problems at the contours of moving images, the background is recorded out of focus, and the background only becomes visible upon the detection of motion information, the critical issue at hand is that Stenger nevertheless teaches a threshold process (i.e., 15 of Figure 4) for discriminating foreground and background data informations (see page 4, lines 4-10), and it is submitted again that it is considered obvious to provide the DCT block classifier and an encoder for providing different quantization level processings for foreground and background image data as taught by Katata et al for the stereo image videophone system of Stenger. As such, it is further submitted that the claimed invention is rendered obvious in view of the combination of Stenger and Katata et al.

3. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications; please mark "EXPEDITED PROCEDURE") (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Lee whose telephone number is (703) 308-6612. The Examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:30 p.m, with alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group customer service whose telephone number is (703) 306-0377.

HICHAIND LEE PRIMARY EXAMINER

Richard Lee/rl

9/12/02